

**BOROUGH OF DUMONT  
BERGEN COUNTY, NEW JERSEY  
EXECUTIVE SESSION MINUTES  
SEPTEMBER 3, 2013  
6:30 PM**

Mayor Kelly called the meeting to order at 6:30PM

**Flag Salute; Silent Prayer**

**Sunshine Law:** The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to ***The Record*** and the ***Ridgewood News***, posted on the Borough website and filed with the Borough of Dumont.

**Roll Call:** Council members Brophy, Carrick, Hayes, Riquelme, Stylianou, Zamechansky-present

Mayor Kelly-present

Motion to accept agenda as presented: Councilman Brophy

Second: Councilman Riquelme

All in favor.

**Review of Consent Agenda Items:** All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

**RESOLUTIONS**

#13-168 Hockey Rink Paving-Authorization to Advertise for Bids \*

#13-169 Approval of Block Party on Veterans Plaza September 7, 2013 \*

#13-170 Approval of Block Party on Blanche Court September 14, 2013 \*

#13-171 Borough Administrator John Perkins-Approval of Two-Year Contract-\$149,892.61 \*

#13-172 Police Chief Joseph Faulborn, Jr.-Approval of Contract-\$152,000 \* Councilman Hayes requested this resolution to be placed on Non-consent.

#13-173 Daniel Drew-Hire as Seasonal Employee-\$10 per hour \*

#13-174 Depew Phase II Project Award of Bid to Sanzari Services-\$120,121.20\*

#13-175 Bills List \*

Councilman Hayes questioned what was past practice as opposed to that which is contractual in the Chief's contract. He also questioned whether the medical coverage portion is contractual. He feels that Medicare B for the Chief and his wife paid by the Borough should be eliminated. The Borough currently pays \$209.00 per month for a retiree and his wife. The Councilman also questioned terminal leave.

Labor Counsel Shahdanian was contacted by phone to answer questions the Council had regarding Medicare B and Terminal Leave. Mr. Shahdanian answered that the Chief would

receive the same benefits as the PBA. Labor Counsel will email the sections of the PBA contract that apply to the questions.

Mayor Kelly brought up longevity. He questioned the inclusion of longevity in the Chief's contract. He said that Mr. Shahdanian had stated that police departments are not asking for it because they know the arbitrators are not going to give it to them and yet it is in this contract. Mr. Shahdanian agreed and explained that longevity originated at a time police officers used to be paid very little. It was a way to keep police officers from jumping from one town to another for a better paycheck. Mr. Shahdanian reminded them that he had suggested making the Chief's salary higher and eliminating longevity but that is not the way the contract as it is now, ended up.

Councilman Stylianou asked how the \$152,000 base salary in this contract compares to other municipalities. Mr. Shahdanian responded that it is in line with the low end for a Chief starting out.

Councilman Hayes requested that he receive answers to his questions in writing. He would like a response as to what is contractual and what is past practice before they vote on the contract.

Mayor Kelly feels that it would be prudent for the Police Committee to meet with Mr. Shahdanian and Chief Faulborn to discuss the issues. Longevity is a burden to the taxpayers.

Councilwoman Zamechansky pointed out that if the Chief's longevity was eliminated and the PBA's contract includes longevity, a Captain would eventually be making more than the Chief.

Mayor Kelly suggested giving the Chief longevity until the PBA contract expires and to stipulate that he would receive the same as the PBA with their new contract. This would preclude other officers from making more than the Chief. It was the consensus of the Governing Body to revise the contract to reflect this.

Council members Hayes and Brophy wished to see the changes in writing prior to voting. Motion to table #172 until the next meeting: Councilman Brophy

Second: Councilman Hayes

Roll call vote: Council members Carrick, Riquelme, Stylianou, Zamechansky-no

Council members Brophy and Hayes-yes

Motion to table defeated.

It was the consensus to move the resolution to Non-consent.

If the revised contract is not what they agreed upon, they will ask for the changes to be made. The Council will vote tonight on the contract contingent upon the changes discussed.

Councilman Hayes next spoke of the Administrator's position. He would like the Chief of Staff position stipulated as part of the Administrator title in the future. This will be reflected in the next salary ordinance.

Motion to open to the public on consent agenda items: Councilman Stylianou

Second: Councilman Hayes

All in favor.

Motion to close to the public: Councilman Brophy

Second: Councilwoman Zamechansky

All in favor.

Motion to adopt the consent agenda items: Councilman Brophy

Second: Councilman Carrick

Roll call vote: Council members Brophy, Carrick, Hayes, Riquelme, Stylianou, Zamechansky-yes

### **Non-consent Agenda**

#13-172 Police Chief Joseph Faulborn, Jr.-Approval of Contract-\$152,000

Motion to adopt contingent upon the changes discussed: Councilman Carrick

Second: Councilwoman Zamechansky

Roll call vote: Council members Brophy, Carrick, Riquelme, Stylianou, Zamechansky-yes

Councilman Hayes-no

### **ORDINANCE**

#### *Second Reading*

**#1464** Capital Ordinance Appropriating the Sum of \$112,561 for Various Park Improvements in and by the Borough of Dumont and to Appropriate \$112,561 from a Bergen County Open Space Grant

Motion to waive the formal reading: Councilwoman Zamechansky

Second: Councilman Carrick

All in favor.

There was no discussion from the Council.

Motion to open to the public: Councilman Stylianou

Second: Councilman Brophy

All in favor.

Motion to close to the public: Councilman Carrick

Second: Councilman Brophy

Motion to adopt on second reading: Councilman Brophy

Second: Councilman Carrick

Roll call vote: Council members Brophy, Carrick, Hayes, Riquelme, Stylianou, Zamechansky-yes

### **Administrator's Report**

There have been meetings with the Board of Education regarding the new drop-off policy. All the signs are in place and people have been notified along Dixon and New Milford Avenue. He thanked the County for their quick response pertaining to a new box for pedestrian crossings across from the high school. The dropped curbs will be installed tomorrow.

The West Shore project is almost completed. The dedication is scheduled for September 22<sup>nd</sup> at 6PM. The keys for the box that regulate the lights will be given to the appropriate people.

The free shredding program is scheduled from 8:30AM-12PM. The Borough receives credit for the recycling tonnage, which we did not get through BCUA.

Mr. Perkins thanked Guy Vogt, PSE&G's arborist for taking care of the large trees along Depew involved in the Depew Project. New trees will be planted.

There are three ordinances, which can be combined, totaling \$270,555. He would like to change the scope of the work to various road, sidewalk and curb improvement, which would cover areas not covered by Community Development Block Grant. The Governing Body agreed.

Mr. Perkins will speak to the Police Department about overnight permit parking at West Shore Avenue.

FEMA will attend a meeting in Dumont regarding flood maps, possibly the week of October 21<sup>st</sup>.

The Police Chief and Property Maintenance suggested requiring permits for construction dumpsters.

### **Engineer's Report**

Mr. Gibson has reviewed T&M's Drainage Study and recommendations for 141 Roosevelt and conducted a site visit. Remington Vernick did agree with T&M's findings. The existing storm sewer is severely undersized and fills up very quickly. Everything converges at Roosevelt and McKinley. Flood water will find the low area, which is in the vicinity of 141 Roosevelt. To minimize flooding will be the most costly and will also lead to utility conflicts and some sanitary sewer problems-redo the entire system to increase the pipe sizes. Another option, which is also costly, would be to create a supplemental system, but this will just move storm water down to Prospect or Dixon. The third option would be to make some minor improvements, which T&M had proposed. This would include providing some kind of collection pipe out to the street, which residents could tie into to alleviate flooding. This will not, however, prevent flooding but will speed up drainage. He suggested that the Borough only does work on the public right-of-way.

Mr. Gibson was asked to submit what the cost to the Borough and to the homeowners would be. He was also asked to look at the topography to see if a property's grade has been built up.

The concern is that if we do work for one residence, it will set a precedent. To alleviate this problem the Borough would put the pipe in the street and let the homeowners tie into it.

### **Council Committee Reports**

- Councilman Brophy

No report

- Councilman Carrick

No report

- Councilman Hayes

The Councilman said that Steve from the Building Department was going to ask the Police and Fire Chiefs to look at the parking on Holt Street. A resident requested that the street be changed to one side of the street parking because he has a quadriplegic granddaughter and can't maneuver his van around parked cars by his driveway.

He suggested rumble strips being installed by Memorial Park. Mr. Perkins responded that there are certain criteria necessary.

He also asked if some of the parking by Memorial Park could be moved.

The Ethics Board and Rent Leveling Board did not meet. The Joint Land Use Board cancelled the last meeting.

- Councilman Riquelme

No report

- Councilman Stylianou

No report

- Councilwoman Zamechansky

The Councilwoman questioned the Shade Tree ordinance's permit fees. She asked if a homeowner has multiple trees they wish to cut down, do they have to pay \$25.00 for each tree.

She feels that the Lightning Detection ordinance should be more specific.

### **Recreation**

Councilwoman Zamechansky is the chairperson of the Recreation Commission. At the meetings, one of the issues addressed, was chain of command and that it should be followed. Also, there was a meeting involving Recreation and she was not notified.

## **Mayor's Report**

No report

Motion to open to the public: Councilman Carrick

Second: Councilman Riquelme

All in favor.

1. Sandy Fernandez, 199 Summit, asked if the tree stumps have been removed on Depew. The Administrator's response was that they had been.
2. MaryAnn Russini, 141 Roosevelt Avenue, asked the engineer if they had done a new survey. He responded they had used T&M's. She had hoped the new engineers would come up with their own solution.

Mr. Gibson stated that his opinion is based upon a review of T&M's drainage report and plans submitted as well as their own observations made in the field.

Ms. Russini stated that if a homeowner takes responsibility for paying for the pipe she doesn't feel that homeowner should have to collect the other homeowners' water if they didn't pay. Would there be a way to prevent the others from using the pipe? She got an estimate of \$5,000 to run the pipe from her yard to the street. She said the pipe is not going to solve the flooding problem.

3. Barbara Correa, 240 Larch Avenue, questioned the fact that the gazebo at W. Shore is wood. She asked if benches will be installed. You can sit on the floor and not be seen so it could become a hangout.  
She had a question about the Shade Tree ordinance. If a homeowner has a Borough tree leaning over his shed and is told it can't be removed, who's libel if the tree falls on the shed? The Administrator responded that the homeowner is responsible. The Shade Tree Commission will trim trees.
4. Mary Ann Russini asked if there is a way to do the backyards without piping; change the grading. Mr. Gibson would be concerned that this would send a lot of groundwater to the foundation and other properties.

Motion to close public portion: Councilwoman Zamechansky

Second: Councilman Riquelme

All in favor.

The Municipal Clerk read the resolution to go into closed session to discuss Personnel-Police and Ethics Board appointment.

Motion: Councilman Stylianou

Second: Councilman Riquelme

Roll call vote: Council members Brophy, Carrick, Hayes, Riquelme, Stylianou, Zamechansky-yes

Motion to go back into public: Councilman Brophy

Second: Councilman Riquelme

All in favor.

Meeting adjourned at 9:15PM

Minutes respectfully submitted by:

Susan Connelly, RMC

Municipal Clerk